

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 05-0245 MHP

Plaintiff(s),

**ORDER REVOKING SUPERVISED
RELEASE AND JUDGEMENT**

v.

BARRY NUFELD,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appeared in person with his attorney Elizabeth Falk. The United States was represented by Assistant United States Attorney Susan Badger.

The defendant was advised of the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation; that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives

1 his right to a hearing, his counsel consenting thereto.

2 The court finds that the defendant has admitted to the violations as alleged in the petition to
3 revoke and that such violations are sufficient cause to revoke supervised release.

4 Charge 1: Violation of Standard Condition Number Two which requires the defendant to
5 file a truthful and complete report within the first five days of each month in
6 that defendant failed to submit monthly supervision report forms that were
7 due on March 5 and April 5, 2006.

8 Charge 2: Violation of Special Condition Number One which states that defendant
9 participate in a program of treatment for drug/alcohol abuse until such time
10 defendant is released from treatment by the US Probation Officer, in that
11 defendant failed to report for counseling on March 6, 2006; Walden House
12 Program disclosed that the defendant was not participating in residential
13 services; Defendant further failed to report to Weyland Consultation Services
14 for drug testing on March 14, March 18, March 27, April 10, and April 18,
15 2006.

16 Charge 7: Violation of Standard Condition which requires that defendant not commit
17 another federal, state, or local crime in that on or about October 19, 2006,
18 defendant was found squatting on 1599 Harrison Street in San Francisco, and
19 in possession of marijuana and suspected methamphetamine/paraphernalia.
20

21 Based on the foregoing,

22 IT IS ADJUDGED that supervised release is hereby REVOKED, and that defendant is
23 remanded into the custody of the Attorney General or his authorized representative for a term of
24 nine (9) months. No further Supervised Release ordered. Counts three, four, and five of the July 9,
25 2007 petition are dismissed.

26 Dated: July 26, 2007

27 
28 MARILYN HALL PATEL
United States District Court